

# EXHIBIT 4

## SUPPORTING DEPOSITION (CPL § 100.20)

New York State Dept of Corrections &amp; Community Supervision

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THE PEOPLE OF THE STATE OF NEW YORK  
VS

DEFENDANT(S)

**LOCATION OF INCIDENT:**

STATE OF NEW YORK, COUNTY COURT

COUNTY OF Cayuga

OF

**LOCATION OF DEPOSITION:**

STATE OF NEW YORK

COUNTY OF Seneca

OF

On DATE 12/19/16 at TIME STARTED: 12:20 ☐ AM ☒ PM

FULL NAME:

Donnesia Brown

11A 4897

STATE: THE FOLLOWING:

I, Donnesia Brown, have been incarcerated at Five Points Correctional Facility since November 2, 2016. Prior to that I was housed at Auburn Correctional Facility for approximately 2 years. In general, I had few to no problems at Auburn Correctional Facility, however, there was an incident on January 21, 2016, that resulted in my latest conviction.

While sitting in my cell in keeplock, I was plugged in listening to music from my wall. Correction Officer Cornell and one other unknown officer approached my cell and the gate was opened. Correction Officer Cornell came in, told me to show him my hands and placed me in the frisk position on the gate. I complied. I was then brought down the gallery in D-Block and taken to the office space before the catwalk. Correction Officer Cornell then told me he had to strip search me as there was information I had a weapon. I complied with the search. Nothing was found on me. Correction Officer Cornell then stated to me, "This isn't personal. If it was, we would be fighting". He then said, "Now you have a weapon". I observed Correction Officer Cornell pull out a white sharpened toothbrush wrapped in a cloth. An unknown Sergeant was then called and I was escorted to the box. Correction Officer Cornell told the Sergeant that I pulled the weapon from my buttocks and handed it to him. At my hearing, I plead not guilty. I did not call any witnesses as I did not have any. The other officer that was present never said anything. At the hearing I was told I would not face new charges for the weapon, especially since it was never used in the course of action or against anyone.

On August 2, 2016, I was told I had a court trip. This was the first time I was notified I was facing promoting prison contraband charges. I was convicted of this charge and sentenced.

**NOTICE**

(Penal Law Sec. 210.45)

In a written instrument, any person who knowingly makes a false statement which such person does not believe to be true has committed a crime under the laws of the state of New York punishable as a Class A Misdemeanor.

Affirmed under penalty of perjury

this day of DECEMBER 20 16

- or -

Subscribed and Sworn to before me

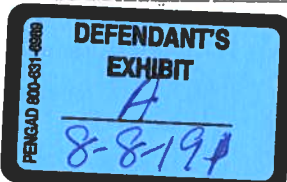
this day of 20

*Donnesia Brown*  
(SIGNATURE OF DEPOSITOR) - Donnesia Brown

(WITNESS)

*Donnesia Brown*  
(SIGNATURE OF PERSON TAKING DEPOSITION)

TIME ENDED

3:00 ☐ AM ☒ PM

## SUPPORTING DEPOSITION (CPL § 100.20)

THE PEOPLE OF THE STATE OF NEW YORK

VS.

DEFENDANT(S)

2 to 4 years. I plead guilty because I did not have any money nor was I given time to fight the sentence of 3 1/2 to 7 years if I blew trial. I was also told the Judge could find me a persistent offender and put life on the back of my sentence. I was never in possession of a weapon. I am trying to fight this conviction with the aid of legal assistant Kim Taylor, 4<sup>th</sup> District, Rochester, NY.

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Affirmed under penalty of perjury

this \_\_\_\_\_ day of DECEMBER, 20\_\_\_\_

- or -

Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Donnesia Brown  
(SIGNATURE OF DEPONENT) - Donnesia Brown

WITNESSES:

Jim Powers  
(NAME OF PERSON AFFIRMING DEPOSITION)

TIME ENDED

3:00

☐ AM☒ PM